



ENVIRONMENTAL PROTECTION AGENCY

[FRL-9772-1]

Tentative Approval and Solicitation of Request for a Public Hearing for Public Water System Supervision Program Revision for New York

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: Notice is hereby given that the State of New York is revising its approved Public Water System Supervision Program to adopt EPA's National Primary Drinking Water Regulations for one major rule and one correction. The EPA has determined that these revisions are no less stringent than the corresponding Federal regulations. Therefore, the EPA intends to approve these program revisions. All interested parties may request a public hearing.

DATES: A request for a public hearing must be submitted to the Regional Administrator at the address shown below **[insert date 30 days from date of publication in the Federal Register]**.

If no timely and appropriate request for a hearing is received and the Regional Administrator does not elect to hold a hearing on her own motion, this determination shall become final and effective **[insert date 30 days from date of publication in the Federal Register]**. More information on requesting a public hearing can be found in the SUPPLEMENTARY INFORMATION section of this document.

ADDRESSES: Requests for Public Hearing shall be addressed to:

Regional Administrator,
U.S. Environmental Protection Agency - Region 2,
290 Broadway,
New York, New York 10007-1866.

All documents relating to this determination are available for inspection between the hours of 9:00 am and 4:30 pm, Monday through Friday, at the following offices:

New York State Department of Health
Corning Tower
Empire State Plaza
Albany, New York 12237

U.S. Environmental Protection Agency - Region 2,
24th Floor Drinking Water Ground Water Protection Section,
290 Broadway,
New York, New York 10007-1866

FOR FURTHER INFORMATION CONTACT: Michael J. Lowy, Drinking Water Ground Water Protection Section, U.S. Environmental Protection Agency - Region 2, (212) 637-3830.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the United States Environmental Protection Agency (EPA) has determined to approve an application by the State of New York Department of Health to revise its Public Water Supply Supervision Primacy Program to incorporate regulations no less stringent than the EPA's National Primary Drinking Water Regulations (NPDWR) for National Primary Drinking Water Regulation: Ground Water Rule, Final Rule, promulgated by EPA November 8, 2006 (71 FR 65574), and the Correction promulgated by EPA November 21, 2006 (71 FR 67427).

The application demonstrates that New York has adopted drinking water regulations which satisfy the NPDWRs for the above. The USEPA has determined that New York's regulations are no less stringent than the corresponding Federal Regulations and that New York continues to meet all requirements for primary enforcement responsibility as specified in 40 CFR 142.10.

Authority: (Section 1413 of the Safe Drinking Water Act, as amended, 40 U.S.C. 300g-2, and 40 CFR 142.10, 142.12(d) and 142.13).

This determination to approve New York's primacy program revision application is made pursuant to 40 CFR 142.12(d)(3). It shall become final and effective unless (1) a timely and appropriate request for a public hearing is received or (2) the Regional Administrator elects to hold a public hearing on her own motion. Any interested person, other than Federal Agencies, may request a public hearing.

If a substantial request for a public hearing is made within the requested thirty day time frame, a public hearing will be held and a notice will be given in the Federal Register and a newspaper of

general circulation. Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator.

Any request for a public hearing shall include the following information: (1) name, address and telephone number of the individual, organization or other entity requesting a hearing; (2) a brief statement of the requesting person's interest in the Regional Administrator's determination and a brief statement on information that the requesting person intends to submit at such hearing; (3) the signature of the individual making the requests or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

Dated: January 2, 2013.

Judith A. Enck,
Regional Administrator,
Region 2.

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